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RECOMMENDATIONS OF THE CORONER'S INQUEST INTO THE DEATH OF ROBERT GENTLES

Final Version

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1. All alternatives be considered before a cell extraction is ordered.
2. All cell extractions be videotaped.
3. All cell extractions of non-compliant inmates, except for those in the most extreme situations, such as where actual risk of bodily harm or death may be imminent to any staff or inmate, be conducted by properly trained and equipped IERTs.
4. A fully qualified nurse, doctor, or paramedic be present during all IERT and non-IERT cell extractions for non-compliant inmates. The attending Health Care professional must be adequately equipped to handle possible medical emergencies and must perform a health check of the inmate immediately following the restraint, and prior to removal.
5. CSC maintain an IERT on 24-hour standby in all medium and maximum security institutions. During lockdowns, the IERT should be on site.
6. CSC continue to follow RI 605 dated June 23, 1995 on cell extractions for all non-IERT cell extractions. The role of each member of the extraction team for non-IERT extractions must be determined by the Correctional Supervisor or his/her delegate before the cell is entered.
7. It is recommended that as soon as an inmate is securely restrained that he be placed in a sitting position provided that it can be done without risk or injury to inmate or staff.
8. It is recommended that a standard kit of equipment be assembled for non-IERT cell extractions. This kit should include leg irons, handcuffs, a chemical agent and a video camera and be made available to the team prior to the commencement of any extraction.
9. It is recommended that CSC only authorize for use those chemical agents, inflammatory sprays and their constituents, which meet Health Canada and Environment Canada standards. All chemical agents and inflammatory sprays in use by CSC must be re-authorized annually.
10. It is recommended that for each incident for which chemical agents/inflammatory sprays are to be used they be used only upon the specific authority of the person who is in charge of the institution at that time. This will be done in accordance with the Commissioner's Directives and Standard Operating Procedures. The person in charge must make himself/herself aware of the

The person in charge must make himself/herself aware of the reason for the request for chemical agent/inflammatory spray before authorizing its use.

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11. It is recommended that, when time and circumstances permit, before a chemical agent/inflammatory spray is administered to an inmate that the medical authority at the institution be called to check the inmate's medical file for possible adverse effects to the chemical agent/inflammatory spray. If that is not possible, and when time and circumstances permit, a continually updated list of inmates with medical conditions that might be adversely affected by chemical agents/inflammatory sprays shall be available on each living unit and must be checked.
12. It is recommended that chemical agents/inflammatory sprays continue to be used only by properly trained staff.
13. It is recommended that after a chemical agent/inflammatory spray has been applied that officers wait the recommended time before a second application and/or before entering the cell.
14. It is recommended that all written procedures concerning chemical agents and inflammatory sprays include the name commonly used in the workplace as well as the proper technical name.
15. It is recommended that a communications policy be implemented to ensure that all inmates are aware of the procedures to be followed during a lockdown, especially as they relate to meals and movement.
16. It is recommended that the communications of information during a lockdown should not rely exclusively on the communication of information by inmate representatives, as it is not possible to be certain what information is passed.
17. It is recommended that CSC investigate alternative ways of more efficiently providing meals to inmates during a lockdown at Kingston Penitentiary.
18. It is recommended that during a lockdown adequate meals be served at reasonable intervals. The first meal of the day should be served to all inmates no later than 11:00 am.
19. It is recommended that when administrative segregation is used, it be administered in compliance with institutional procedures and the law and adequately monitored by senior management.
20. It is recommended that all correctional officers be re-certified in CPR every year and in first aid every three years.
21. It is recommended that all correctional officers receive refresher training every three years in the following areas:
 - ▶ CSC and the Law
 - ▶ Use of Force Management Model
 - ▶ Cell Extraction Procedures
 - ▶ Restraint Equipment
 - ▶ Arrest and Control
 - ▶ Use of Force, and
 - ▶ Chemical Agents
22. It is recommended that all employees of the Correctional Service of Canada continue to receive training in anti-racism, cultural awareness and harassment.
23. It is recommended that, for the safety of correctional officers and inmates, all correctional officers receive training in cell extractions

inmates, all correctional officers receive training in cell extractions of non-compliant inmates.

24. It is recommended that new officers, after initial in-class training, be on-the-job trained on an ongoing basis during their first year of work. They should be brought back frequently for training during their first year with respect to ethical dilemmas experienced on the job.
25. It is recommended that the Commissioner appoint a consultant to study the effectiveness and recommend improvements regarding the course "CSC and the Law".
26. Recognizing the potential negative impact on correctional officers working in an institutional setting, CSC must continue to train new recruits and existing staff in accordance with the values expressed in the Mission of the Correctional Service of Canada.
27. It is recommended that the orientation program for all new officers include a module on "Officer Norms", outlining its beneficial and detrimental aspects.
28. It is recommended that the Standing Operating Procedures (replacing the Security Manual) and the training in those procedures have been provided to all Correctional Officers within a year.
29. It is recommended that training be provided in how to lift and carry an un-cooperative inmate.
30. It is recommended that training be provided in how to determine whether or not an inmate is "playing possum" or is in medical distress.
31. It is recommended that CSC evaluate psychological screening as a component of its officer recruitment process.
32. It is recommended that any officer who has inmate contact and who is out on stress leave go for a psychological evaluation prior to returning to work.
33. It is recommended that CSC provide a Stress Management course for staff with an option of professional counseling as needed.
34. It is recommended that CSC provide a 1-800 number to access counseling for staff who are reluctant to self identify to local management when they are suffering the effects of job related stress.
35. It is recommended that the amount of overtime be reviewed on a monthly basis. Corrective action should be taken where an excessive number of hours are being worked by individual correctional officers. This will ensure that the stresses of the job are not made worse by lengthy exposure to the prison environment.
36. It is recommended that any record of stress related counselling should not be kept on employees' personnel files. This should encourage employees to feel comfortable to come forward and ask for help or stress counselling without reprisal.
37. It is recommended that the Correctional Service review all Commissioner's Directives, Regional Instructions, Standing Orders and Standard Operating Procedures to ensure they are clear and in compliance with the law and policy to avoid any duplication and conflicting information.

38. It is recommended that the Union of Solicitor General Employees, with the support of CSC, encourage its members to report any illegal acts or harassment, as their obligations as peace officers should take priority over labour solidarity.
39. It is recommended that all log book entries be read daily by unit managers and the I.P.S.O. so that action plans and necessary follow-up can be established when required. There must be feedback to the reporting officer.
40. It is recommended that staff conduct in breach of the CCRA, Commissioner's Directives, Regional Instructions, Standing Orders, Standard Operating Procedures or the CSC Code of Conduct be dealt with by management expeditiously, suitably and openly by any one or more of the following measures:
 - ▶ Counseling
 - ▶ Re-training; and/or
 - ▶ Discipline
41. It is recommended that all Standard Operating Procedures, Commissioner's Directives, Regional Instructions and Standing Orders contain a definition to ensure that terminology used within is clearly understood by staff.
42. It is recommended that CSC continue to investigate the most appropriate device for transporting uncooperative inmates. (ie. Chair used by ambulances)
43. It is recommended that CSC, with cooperation from the USGE, investigate the possibility of rotating staff among institutions on a regular basis in order to have a turnover of the majority of staff at Kingston Penitentiary.
44. It is recommended that there be formal steps to notify families of a death in the institution. Notification must be made in person.
45. It is recommended that there always be a staff member trained in crisis negotiation in the institution.
46. It is recommended that all directives concerning report writing be strictly adhered to.
47. It is recommended that reports (i.e. Use of Force and Situation Reports) be filled out immediately following an incident. Appropriate disciplinary action should be taken if this is not done.
48. It is recommended that the Situation Report contain an attention box with a warning that officers fill out reports independently.
49. It is recommended that a room be made available at the time of an incident within every institution (i.e. cafeteria, chapel, etc.) for the preparation of reports concerning serious incidents. This room must be supervised during the preparation of those reports by the institutional head or his designate. It is further recommended that a record be kept of those preparing and invigilating the reports.
50. It is recommended that CSC continue with the current audit of its filing and information systems with the objective of improving that system.
51. It is recommended that all persons in the CSC with specific authority who are empowered or required to dispose of complaints, grievances or investigations be able to admit error on the part of, and on behalf of the Correctional Service.

52. It is recommended that CSC initiate a national program of statistical collection, analysis and reporting that will reflect trends in the use of force, segregation, inmate discipline, inmate grievances, officer discipline and officer grievances. This would provide indicators to the management team of the performance of their institution.
53. It is recommended that press releases be accurate, precise and clear with no possibility of a misinterpretation of information. (i.e. gilding the lily)
54. It is recommended that there be a top down commitment where management sets the appropriate example for staff in accordance with the Mission Statement and the five core values.
55. It is recommended that the Warden and Deputy Warden at Kingston Penitentiary be left in place for a minimum of a three year term. CSC should consider instituting a system of financial incentives for Warden's and Deputy Wardens to stay in their jobs at difficult posts like Kingston Penitentiary.
56. >It is recommended that the salary classification of a Warden of a maximum security institution reflect the responsibilities of the position and be such that it will allow for his/her transfer back to the line operation after the completion of a staff assignment (Regional or National Headquarters) without a financial penalty.
57. It is recommended that special assignments that take the Warden away from the institution be limited.
58. It is recommended that all levels of management be held accountable for their actions or lack of same. Senior managers who are found to be ineffective should be provided with additional training, retrained, demoted or dismissed.
59. It is recommended that because of the nature of work performed by CSC peace officers, that CSC take forward to treasury Board a proposal that the Master Agreement between the Public Service Alliance of Canada and the Treasury Board be amended to provide an exception to the general "sunset clause" which provides for the removal of any disciplinary action from a public service employee's file after two years. This exception to the "sunset clause" should be applied only in circumstances where a CSC peace officer has received discipline relating to the use of force against an inmate.
60. It is recommended that when allegations of excessive force used against an inmate are proven, the staff member involved be dismissed from the Public Service.
61. It is recommended that any agreement with the applicable union concerning the appropriateness of discipline or the conduct of investigations should be in writing and should be permanently preserved by both parties.
62. It is recommended that the CSC take forward the proposal to Treasury Board that its current legislative and/or policy position be amended to provide for suspension with pay in certain circumstances. This would give CSC the option to suspend and employee with or without pay.
63. It is recommended that the Code of Discipline (CD 60) be amended to include procedures that must be followed whenever a staff member has committed an alleged infraction.

member has committed an alleged infraction.

64. It is recommended that an officer who uses an unauthorized control hold be disciplined.
65. The public accountability of each Citizen Advisory Committee (CAC) should be strengthened. To achieve this it is recommended that the Regional Deputy Commissioner, at the beginning of each year, take steps to ensure that each CAC in the Region is at optimum levels of strength and performance. Each committee shall be comprised of at least three persons and no more than seven who are reasonably representative of a cross-section of the community. Newspaper advertisements should be used as necessary to recruit new members. A selection committee made up of the head of the institution, the local union president and chair of the local CAC shall select new members. The participation of the correctional officers is considered essential in the success of the committee's mandate.
66. It is recommended that each CAC prepare an annual report containing a review of the past year's activities, an assessment of the effectiveness of the committee's monitoring of crisis situations where the safety of staff and/or inmates was clearly at risk and a statement of the needs of the committee in order to carry out their duties in the coming year. The report would be submitted to the Regional Deputy Commissioner, the Correctional investigator, the head of the institution and to the community agencies and individuals involved in public policy relating to community safety and prisoner rehabilitation.
67. It is recommended that in situations involving the application of chemical agents/inflammatory sprays prior to death, blood and tissue samples be screened for concentrations of chemical agent constituents. In cases where the samples are being forwarded to the Centre of Forensic Sciences, it is recommended that they be provided in the amounts and containers specified by the Centre.
68. It is recommended that the post-mortem report and, if possible, the police report, be provided to the Centre for Forensic Sciences along with the Case Submission form (form CFS 69) when the samples are submitted.
69. It is recommended that a review of Kingston Penitentiary be conducted with respect to its appropriate use within the context of the Corrections and Conditional Release Act. This review should be conducted by a committee consisting of representatives from CSC, the Ministry of the Solicitor General and independent persons from the community.
70. It is recommended that with the issue of accountability a concern, that increased civilian oversight of CSC is required. An independent oversight committee shall be formed by the Ministry of the Solicitor General to conduct a study and report within 12 months to the Justice Committee of the Parliament of Canada. This committee shall determine what type of civilian oversight body should be established and the scope of its powers.
71. It is recommended that CSC through the I.P.S.O.s conduct an annual review of stock in the armories to ensure that security equipment meets the current standards and that any items not meeting the standards are removed.
72. It is recommended that CSC investigate the possibility of requiring

72. It is recommended that CSC investigate the possibility of requiring inmates in certain cell settings (i.e. open-faced cells) to use headphones for their stereos and televisions.
73. It is recommended that the Chief Coroner receive written reports from the Commissioner of Corrections and any other recipient of these recommendations with respect to their implementation. These reports shall include the status of this jury's recommendations as to why certain, if any, recommendations were not implemented. These reports are due to the Chief Coroner within twelve months and will be made public.
74. It is recommended that the Chief Coroner receive a written report from the Solicitor General with respect to implementation of these recommendations also within twelve months. This report will also be made public.

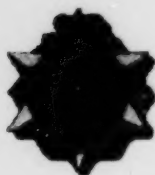
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1. All alternatives be considered before a cell extraction is ordered.

CSC'S RESPONSE:

CSC has addressed this recommendation through a Use of Force Model. This model provides for alternatives to be considered before a forcible removal of an offender from his/her cell.

The Use of Force Model allows for verbal intervention, conflict resolution and negotiation to be used, where appropriate, at any stage of a response to an inmate's behaviour. CSC policy also requires that only the institutional head can authorize a pre-planned use of force.

In addition, CSC has a number of trained crisis negotiators on staff who are available to be used as an option prior to the ordering of a cell extraction.

CSC requires Use of Force Reports to be completed in situations where force is required to remove offenders from their cells. The institutional head reviews these reports, which describe and justify the type and amount of force used.

All new staff receive now receive training on the Use of Force Model during their Correctional Training Program. In addition all managers, supervisors, and Correctional Officers-II level have been trained on CSC and the law.

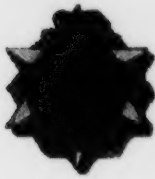
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2. All cell extractions be videotaped.

CSC'S RESPONSE:

All cell extractions, where the use of force may be necessary or anticipated, are currently being videotaped. This practice was nationally implemented in February 1997. The practice is now being formalized for inclusion in a Standard Operating Practice (SOP).

The policy for videotaping provides for review of the tapes by the Institutional Head, as well as by Regional and National Headquarters staff, as a means of ensuring compliance with policies and procedures relating to cell extractions. In addition, these tapes are provided to the Office of the Correctional Investigator.

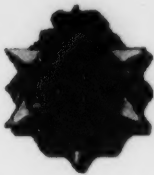
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3. All cell extractions of non-compliant inmates, except for those in the most extreme situations, such as where actual risk of bodily harm or death may be imminent to any staff or inmate, be conducted by properly trained and equipped IERTs.

CSC'S RESPONSE:

CSC supports the view that staff performing non-routine cell extraction duties should be properly trained to allow them to conduct cell extractions in a safe and effective manner.

CSC does not currently have a policy making it mandatory for IERT members to conduct all cell extractions for non-compliant inmates. The decision as to whether the use of the IERT to conduct the extraction is required remains with institutional management and is based on their assessment of the particular situation. IERT members are available to be recalled to the institution if required.

CSC is currently examining various options of conducting cell extractions and will make recommendations to CSC's Executive Committee on a preferred uniform approach. Options include:

1. Maintaining the status quo.
2. Introduce specialized cell extraction teams.
3. Use the IERT.

The recommendations to the Executive Committee will include an assessment of the various options. It is anticipated that this issue will be presented for decision by March 2000 in conjunction with the recommendations of the Security Task Force.

Regardless of the option chosen, CSC will ensure that the necessary training is provided.

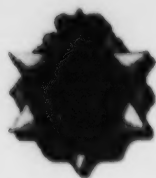
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4. A fully qualified nurse, doctor, or paramedic be present during all IERT and non-IERT cell extractions for non-compliant inmates. The attending Health Care professional must be adequately equipped to handle possible medical emergencies and must perform a health check of the inmate immediately following the restraint, and prior to removal.

CSC'S RESPONSE:

CSC's policy requires that all inmates be examined by Health Care Professionals in any situation where force has been used. This requirement is contained in Commissioner's Directive #605 "Use of Force" and requires that any inmate who has been subject to force be "examined as soon as possible by health care personnel and provided with treatment as required." Compliance with this is achieved through the requirement of the Health Care Officer to sign the Use of Force form indicating that such examination and treatment has, in fact, been provided. These reports are forwarded to the institutional head.

Having Health Care Professionals physically present during the actual extraction is viewed as impractical from both a safety and resourcing perspective. Procedures do, however, exist both to minimize the likelihood of, and to react to, any medical emergencies. Included are the following:

1. The policy requirement to consult with institutional medical authorities prior to the use of chemical agents to identify medical factors which may impact on the decision to use chemical agents. This is done in those situations where time and circumstances permit.
2. Presence of staff members trained in both first aid and CPR to respond immediately to any medical emergency.
3. Rapid response time to the area by professional health care staff should the need arise.
4. On site availability of health care facilities.

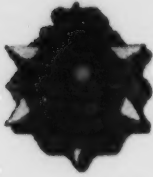
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5. CSC maintain an IERT on 24-hour standby in all medium and maximum security institutions. During lockdowns, the IERT should be on site.

CSC'S RESPONSE:

All maximum and medium security institutions within CSC have established Institutional/Regional Emergency Response Teams (IERTs). Officers who work on these teams are available for recall to the institution 24 hours a day.

The maintaining of an IERT on-site during every lock-down situation is an option that a Warden has, depending on the circumstances of the situation. It is not practical to make it a mandatory practice in all cases.

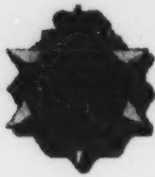
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6. CSC continue to follow RI 605 dated June 23, 1995 on cell extractions for all non-IERT cell extractions. The role of each member of the extraction team for non-IERT extractions must be determined by the Correctional Supervisor or his/her delegate before the cell is entered.

CSC'S RESPONSE:

It should be noted that Regional Instruction (RI) 605 (June 23, 1995) is a regional policy document applicable to the Ontario Region.

CSC does, however, agree that the Correctional Supervisor or his/her delegate shall determine the role of each member of the extraction team, for non-IERT extractions, before the cell is entered. A Security Bulletin applicable to all regions will be issued to reinforce this practice.

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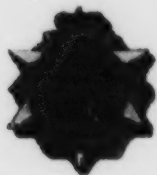
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7. It is recommended that as soon as an inmate is securely restrained that he be placed in a sitting position provided that it can be done without risk or injury to inmate or staff.

CSC'S RESPONSE:

CSC issued a Security Bulletin (99-05) in March 1999 dealing with the subject of "Positional Asphyxia and Excited Delirium." This bulletin provides instructions to staff for the care of restrained inmates and is designed to minimize the potential for in-custody injury or death. This bulletin was emphasized and reinforced at the National Use of Force Trainer's Conference held in Kingston, Ontario on September 14-16, 1999.

Included in this document is the requirement for officers to "get the inmate off his/her stomach and on to his/her side or seated upright", as soon as restraints are applied.

The procedures also provide additional instructions for staff to follow in cases where breathing difficulties or loss of consciousness occurs. These instructions include the requirement to transport the inmate to a medical facility equipped to cope with the potential complications of excited delirium or positional asphyxia.

In addition, the Correctional Training Program (CTP 2000), does include a module on Sudden In-Custody Death Syndrome (SICDS) whereby recruits who are already pre-qualified in First Aid and CPR learn more about the situations that may contribute to "excited delirium" and "positional asphyxia" which both form part of SICDS.

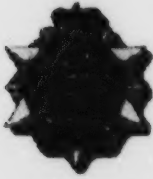
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8. It is recommended that a standard kit of equipment be assembled for non-IERT cell extractions. This kit should include leg irons, handcuffs, a chemical agent and a video camera and be made available to the team prior to the commencement of any extraction.

CSC'S RESPONSE:

These pieces of equipment are available for use at the direction of the Correctional Supervisor or the officer in charge of the institution.

This requirement will be further reinforced through issuance of a Security Bulletin.

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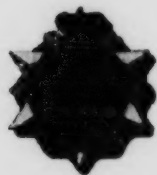
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9. It is recommended that CSC only authorize for use those chemical agents, inflammatory sprays and their constituents, which meet Health Canada and Environment Canada standards. All chemical agents and inflammatory sprays in use by CSC must be re-authorized annually.

CSC'S RESPONSE:

CSC has established a national working committee to address this matter. Representatives on this committee include a Correctional Supervisor, IERT leader, a regional chemical agent instructor, a Coordinator Correctional Operations, a Security Maintenance Officer, as well as representatives from Security and Technical Services from National Headquarters. These members represent the primary users of chemical agents and inflammatory sprays.

A Toxicologist, Dr. Joseph Ruddick, from Health Canada, has been assigned to assist in assessing the chemical agents and spray irritants that CSC will include on the Scale of Issue to ensure that their standards are met. In addition, Environment Canada will be contacted to determine if the propellants are safe and in accordance with their standards.

The role of the Committee is to fully review all existing chemical agents and inflammatory sprays on the Scale of Issue to assess their appropriateness and continued use. It is anticipated that through the work of this committee, the existing Scale of Issue for these chemical agents will be reduced from the current 18 agents to approximately 8 agents.

Annual re-authorization of chemical agents and spray irritants has been provided for in an amendment to the Standard Operating Practice (SOP) on chemical agents. This amendment states that "based upon recommendations from the National Security Equipment Committee, the ADC's shall re-authorize the use of chemical agents and inflammatory sprays on an annual basis." In addition, the SOP will also include the requirement that:

"On an annual basis CSC will submit to Health Canada and Environment Canada a complete listing of chemical agents and inflammatory sprays that are in use. Chemical

agents and inflammatory sprays that are in use. Chemical agents and inflammatory sprays that do not meet Health Canada and Environment Canada standards shall be immediately removed from use and disposed of."

The National Committee has requested that all regions provide an inventory listing of all chemical agents in use within their regions. The Committee will review and evaluate the inventories and recommend a list of approximately 8 approved agents. Regional meetings will be conducted in December 1999 to review this revised Scale of Issue.

The final proposed inventory of agents will be presented to the Assistant Deputy Commissioners for review and approval by the end of February 2000.

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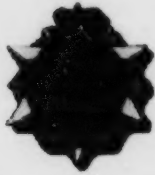
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10. It is recommended that for each incident for which chemical agents/inflammatory sprays are to be used they be used only upon the specific authority of the person who is in charge of the institution at that time. This will be done in accordance with the Commissioner's Directives and Standard Operating Procedures. The person in charge must make himself/herself aware of the reason for the request for chemical agent/inflammatory spray before authorizing its use.

CSC'S RESPONSE:

The requirement for approval of the person in charge of the institution prior to the use of chemical agents/inflammatory sprays is current practice within CSC, except in cases where the nature of the emergency prevents such pre-authorization. Adherence to this requirement is monitored through Use of Force Reports which document reasons for the force used. This requirement will be further reinforced in a new Commissioner's Directive on *"Management and Control of Situations That Jeopardize the Security of the Institution."*

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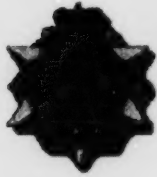
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11. It is recommended that, when time and circumstances permit, before a chemical agent/inflammatory spray is administered to an inmate that the medical authority at the institution be called to check the inmate's medical file for possible adverse effects to the chemical agent/inflammatory spray. If that is not possible, and when time and circumstances permit, a continually updated list of inmates with medical conditions that might be adversely affected by chemical agents/inflammatory sprays shall be available on each living unit and must be checked.

CSC'S RESPONSE:

CSC's policy is to consult with institutional medical authorities before a chemical agent is used with regard to possible contraindications, which may impact on the decision to use chemical agents. This is done in those situations where time and circumstances permit.

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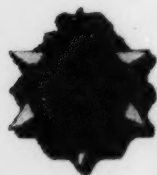
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12. It is recommended that chemical agents/inflammatory sprays continue to be used only by properly trained staff.

CSC'S RESPONSE:

CSC policy is that only properly trained staff are permitted to administer chemical agents/inflammatory sprays.

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13. It is recommended that after a chemical agent/inflammatory spray has been applied that officers wait the recommended time before a second application and/or before entering the cell.

CSC'S RESPONSE:

This requirement is included in training modules for staff on the use of chemical agents. This requirement will continue to be stressed by CSC's Use of Force trainers and was emphasized to these instructors at the National Use of Force Trainer's Conference held in Kingston on September 14-16, 1999.

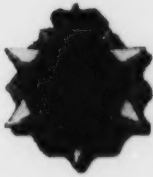
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14. It is recommended that all written procedures concerning chemical agents and inflammatory sprays include the name commonly used in the workplace as well as the proper technical name.

CSC'S RESPONSE:

CSC's Security Equipment Manual and the Standard Operating Practice (SOP) on *Security Equipment* have been modified to reflect this recommendation. Included in the manual is a listing of chemical agents and inflammatory spray names that are commonly used in the work place, in addition to their proper technical names.

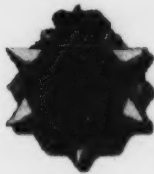
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15. It is recommended that a communications policy be implemented to ensure that all inmates are aware of the procedures to be followed during a lockdown, especially as they relate to meals and movement.

CSC'S RESPONSE:

This requirement will be included in the Commissioner's Directive on *"Management and Control of Situations That Jeopardize the Security of the Institution."* General procedures relating to the requirement to inform staff and inmates of movement and the provision of meals will be included in this policy. Owing to the differences in institutional design, specific procedures are to be developed by each institution. As indicated in CSC's response to recommendation #16, the requirement of written communication from management to inmates during lockdown situations will enhance awareness and provide a consistent understanding of the procedures to be followed. Institutions equipped with speakers or intercom systems can use these methods to issue clear verbal instructions to both staff and inmates.

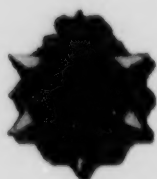
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16. It is recommended that the communications of information during a lockdown should not rely exclusively on the communication of information by inmate representatives, as it is not possible to be certain what information is passed.

CSC'S RESPONSE:

CSC supports the need for consistent information being shared to all offenders and staff. The Commissioner's Directive on "*Management and Control of Situations That Jeopardize the Security of the Institution*" will include the requirement that communications from management to both staff and inmates are to be shared in written format in order to ensure a consistent and clear message to all involved. Institutions equipped with speakers or intercom systems can use these methods to issue clear verbal instructions to both staff and inmates. Inmate committees, tier representatives and staff communicators can also be used to ensure clear communications during a lock-down.

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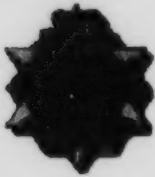
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17. It is recommended that CSC investigate alternative ways of more efficiently providing meals to inmates during a lockdown at Kingston Penitentiary.

CSC'S RESPONSE:

CSC Food Services has examined alternative means of providing meals to offenders during lockdowns at Kingston Penitentiary.

The selected method involves the use of heated food carts to deliver pre-portioned meals to the ranges. Previously, during lock-down situations, the procedure was to allow several inmates at a time to be released from their cells to go and pick up meals at the cafeteria. This process resulted in a distribution time of 3-4 hours to provide meals to the entire population. Using the new delivery method, the meal distribution is completed in less than two hours.

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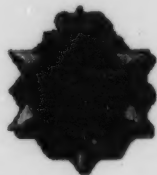
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18. It is recommended that during a lockdown adequate meals be served at reasonable intervals. The first meal of the day should be served to all inmates no later than 11:00 am.

CSC'S RESPONSE:

CSC's policy is that food should not be withheld, nor the standard of meal quality be reduced, as a sanction against offenders.

Normal practice is to provide inmates with three meals per day. However, in emergency or lockdown situations, the scheduling of meals is determined by institutional management in consideration of the circumstances.

In cases where the emergency or lockdown allows for the serving of only two meals, practice is to serve the first meal of the day, in the form of an extended breakfast, at or before 0930. The supper meals are normally served at around 1530 or 1600.

While specific plans will vary from institution to institution, the details of emergency food services are contained in the contingency plans of each institution.

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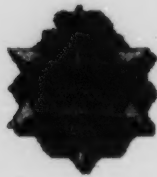
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19. It is recommended that when administrative segregation is used, it be administered in compliance with institutional procedures and the law and adequately monitored by senior management.

CSC'S RESPONSE:

Since the implementation of the National Task Force on Administrative Segregation (report issued March 1997), four national audits have been conducted to examine compliance to administrative segregation policies and practices. Two of the audits reviewed all CSC facilities while the remaining two audits examined a sample of institutions within all regions. These audits have demonstrated that compliance has improved in recent years. In part, the current high compliance level is attributed to the awareness created, and training provided, by the Task Force.

In accordance with the law, senior management is actively involved in the administrative segregation process. The institutional head or designate must review the placement in segregation within one working day of the placement date. Throughout an inmate's confinement in administrative segregation, there are mandated reviews and hearings, which must be conducted at specific intervals during that period. The objective of these reviews/hearings is to ensure that the inmate has been and continues to be confined only for reasons permitted under Section 31 of the CCRA and that there are no reasonable alternatives to confinement in administrative segregation.

CSC staff, who are involved in the administrative segregation review process, are governed by administrative law and the principles of fairness. They dictate that not only the substance of a decision must be correct, but also that the proper process must be followed in arriving at decisions.

In order to maintain a high level of compliance, CSC's Executive Committee (EXCOM) determined that a full time resource would be assigned in each region to provide continuous monitoring of the administrative segregation process. A regional monitor/coordinator has been appointed in each of the regions to ensure that CSC remains compliant with the law.

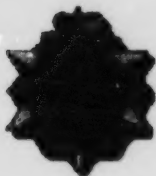
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20. It is recommended that all correctional officers be re-certified in CPR every year and in first aid every three years.

CSC'S RESPONSE:

The national training standard on First Aid and CPR requires that a number of staff be designated for re-certification in CPR every year and in First Aid every three years. The Warden has the responsibility to identify sufficient numbers of designated staff to ensure that staff, certified in CPR and First Aid, are available to cover all shifts. At the time of initial hiring, Correctional Officer candidates must be certified in both CPR and First Aid. In addition, all members of Institutional Emergency Response Teams are certified and trained.

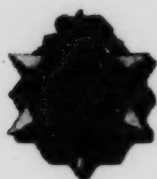
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21. It is recommended that all correctional officers receive refresher training every three years in the following areas:

- CSC and the Law
- Use of Force Management Model
- Cell Extraction Procedures
- Restraint Equipment
- Arrest and Control
- Use of Force, and
- Chemical Agents

CSC'S RESPONSE:

Currently, all Correctional Officers receive annual refresher training in the form of re-qualification with respect to firearms and every three years on the use of chemical agents.

Other aspects of refresher training are presently being examined in conjunction with a study of Use of Force standards in both law enforcement and correctional settings. This study is being conducted by the Security Division and will ascertain the scope and required timeframes for re-certification and re-training. It is anticipated that this study will be completed by the end of fall 1999.

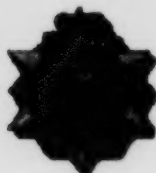
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22. It is recommended that all employees of the Correctional Service of Canada continue to receive training in anti-racism, cultural awareness and harassment.

CSC'S RESPONSE:

CSC will continue its practice of providing this training to all its employees.

The current policy, Commissioner's Directive #255 (*Harassment and Other Forms of Discrimination in the Workplace*), stipulates that anti-harassment training is mandatory for all employees.

In addition to the mandatory training, information sessions are regularly offered on issues of cultural awareness and anti-racism.

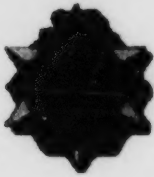
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23. It is recommended that, for the safety of correctional officers and inmates, all correctional officers receive training in cell extractions of non-compliant inmates.

CSC'S RESPONSE:

The study currently being conducted by the Security Division on the Use of Force Standards in both law enforcement and correctional settings will examine the existing training in cell extraction and ascertain the scope of additional training required.

CSC is currently developing a training module to include specific instruction in cell extraction.. This training will include cell extraction procedures and control techniques within the parameters established by law and the Use of Force Management Model and related policies and procedures (refer also to response to recommendation #3).

Included in the training are situational exercises dealing with non-compliant inmates. Examples include an offender exhibiting behaviour consistent with someone being under the influence of an intoxicant; an offender who becomes physically or verbally resistant during the application of handcuffs; an offender who threatens to contaminate an officer with his blood; and an offender who is threatening staff with a knife.

While training in cell extraction procedures and control techniques is important CSC also recognizes the need for officers performing cell extractions to have excellent communication and negotiation skills which can, in many cases, avoid the need for forcible removal of the inmate.

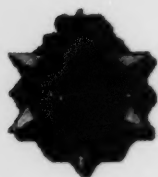
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24. It is recommended that new officers, after initial in-class training, be on-the-job trained on an ongoing basis during their first year of work. They should be brought back frequently for training during their first year with respect to ethical dilemmas experienced on the job.

CSC'S RESPONSE:

After in-class training is provided at the CSC Staff Colleges, new officers are placed in institutions for a twelve-month probationary period. During probationary period, new officers receive on the job training and coaching from more experienced correctional officers.

During this period, the new officers will be exposed to a variety of posts and job situations that they can /will expect to face when their probationary period is complete.

The officer's performance is monitored by supervisory staff and forms part of the officer's performance assessment completed prior to the end of the probationary period. This performance assessment includes recommendations for any additional training that the officer may require in order to fully fulfill the duties of a Correctional Officer position.

Once the probationary period is over, correctional officers are assessed on their performance on an annual basis and again, such assessments identify areas of performance where further training and/or development is required.

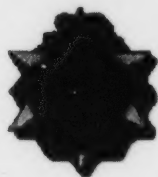
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25. It is recommended that the Commissioner appoint a consultant to study the effectiveness and recommend improvements regarding the course "CSC and the Law".

CSC'S RESPONSE:

"CSC and the Law" is a series of modular programs designed and delivered to various target employee groups depending on their job duties. Modules on various topics as they pertain to the CCRA and the CRRR continue to be developed. CSC does plan to contract with an independent firm to evaluate and validate the effectiveness of the learning for this series. The independent evaluation is planned for fiscal year 2000/2001.

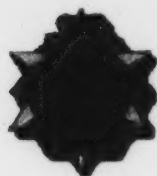
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26. Recognizing the potential negative impact on correctional officers working in an institutional setting, CSC must continue to train new recruits and existing staff in accordance with the values expressed in the Mission of the Correctional Service of Canada.

CSC'S RESPONSE:

CSC's Mission, its guiding principles and fundamental values form a strong component of all National Learning Programs. The values expressed in the Mission are fully integrated and reinforced throughout all courses. In addition, the screening of potential Correctional and Parole officer staff is based on a Values Assessment and now forms an integral part of our recruitment and promotional process for these occupational groups.

For new Correctional Officer candidates, the Correctional Training Program (CTP 2000) is founded on the Mission and Values of the Correctional Service of Canada and utilizes a problem-solving and continuous learning model. This problem-solving approach is called CAPRA and the initials of "CAPRA" are defined as Clients (direct and indirect), Acquiring and Analyzing information, Partnership, Response and Assessment. Employees learn to continually adapt, redefine, seek information, assess, respond and reassess. This methodology emphasizes the core values of the CSC and encourages staff to become effective problem solvers and continuous learners in a variety of situations.

CTP 2000 is a relatively new program and will be evaluated and validated in 2000/2001. The CAPRA problem-solving and continuous learning model now forms part of all newly developed National Learning Programs.

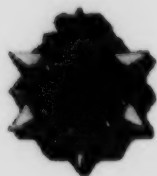
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27. It is recommended that the orientation program for all new officers include a module on "Officer Norms", outlining its beneficial and detrimental aspects.

CSC'S RESPONSE:

This module will be developed in the fall of 1999 in conjunction with the review of CTP 2000.

Course content will include the following elements:

- ▶ Subculture and the individual officer
- ▶ Making tough decisions
- ▶ Tools for Moral decision-making
- ▶ Reputable Officers

These elements are emphasized in the book "Ethical Issues in Policing and Corrections, Reputable Conduct" authored by John R. Jones of Sir Sandford Fleming College.

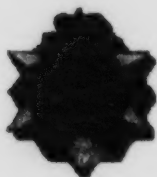
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28. It is recommended that the Standing Operating Procedures (replacing the Security Manual) and the training in those procedures have been provided to all Correctional Officers within a year.

CSC'S RESPONSE:

The Standing Operating Procedures replacing the Security Manual are currently in the final stages of review and will be promulgated in by the end of fiscal year 1999-2000. These procedures will be readily accessible in both hardcopy and electronic version for staff.

It should be noted that the Standing Operating Procedures are primarily a consolidation of a number of previous Commissioner's Directives, Security Bulletins and procedures outlined in the Security Manual. In this respect, the SOPs do not contain new security procedures or policies which would warrant a specific formalized training program. However, the Security Task Force will be reviewing the implementation of the SOP to ensure that staff are made aware of the new format and are familiar with all policies and procedures.

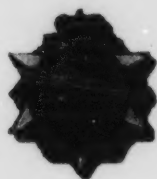
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29. It is recommended that the Standing Operating Procedures (replacing the Security Manual) and the training in those procedures have been provided to all Correctional Officers within a year.

CSC'S RESPONSE:

CSC supports the use of appropriate equipment to lift and carry an uncooperative inmate.

As identified in the response to recommendation #42, CSC has already acquired a new ambulatory chair/ stretcher for testing and evaluation at Kingston Penitentiary, and will continue testing and evaluation of new products as they enter the marketplace.

CSC will ensure that staff receive the recommended training, if required, prior to the use of any new security equipment.

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30. It is recommended that training be provided in how to determine whether or not an inmate is "playing possum" or is in medical distress.

CSC'S RESPONSE:

Currently, a designated number of CSC staff are qualified and re-certified in First Aid and CPR. The number of designated qualified staff ensures coverage on each shift. First Aid and CPR allows staff to assess indicators of medical distress. In the event of such distress, the first line response includes the immediate call to a qualified medical practitioner. The determination of whether medical distress is occurring or whether an offender is "playing possum" is then made by the qualified medical practitioner.

The Correctional Training Program (CTP 2000), does include a module on Sudden In-Custody Death Syndrome (SICDS) whereby recruits who are already pre-qualified in First Aid and CPR learn more about the situations that may contribute to "excited delirium" and "positional asphyxia" which both form part of SICDS.

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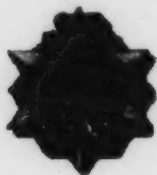
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31. It is recommended that CSC evaluate psychological screening as a component of its officer recruitment process.

CSC'S RESPONSE:

The exploration of the use of psychological testing for correctional officer recruitment began in early 1998. A consulting firm was contracted to complete a study on the applicability of psychological testing for the recruitment of Correctional Officers. An overview of the report and subsequent recommendations were submitted to the Executive Committee for consideration at the May 14, 1999 meeting. The Executive Committee approved all three recommendations that included deferring a decision on psychological testing for correctional officer recruitment.

The three recommendations regarding psychological testing that were approved by the Executive Committee include:

1. It is recommended that psychological testing for Correctional Officer recruitment not be implemented at this time and that the existing values assessment process be continued.
2. It is recommended that the existing values assessment process be monitored and evaluated over the next 12-15 months, to determine its effectiveness.
3. It is recommended that the results of this evaluation be presented to ExCom in March 2000.

CSC has embarked on a values-centered approach to identify those candidates who will be the Service's best performers. This approach recognizes that when an employee, or a future employee, has a value system that is inherently or intrinsically in direct conflict with the values of the organization, there will be performance problems.

The CSC Mission has many references to the qualities of employees that are essential to ensure that we continue to address the challenging and sometimes difficult work in our organization. These are the underlying values that people contribute to our organization. These are the qualities that are needed in our future employees. The value assessment has been introduced for the recruitment and selection of

assessment has been introduced for the recruitment and selection of Correctional Officer I, II and Correctional Supervisor, and will be implemented for Parole Officer, Program Officer, Coordinator, Case Management and the Area Director positions in September 1, 1999.

The assessment will be based on the Executive Committee endorsement of five value areas: (1) Respect; (2) Desire to learn and change; (3) Integrity; (4) Results orientation; and (5) Teamwork.

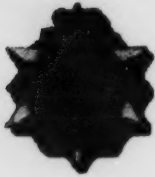
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32. It is recommended that any officer who has inmate contact and who is out on stress leave go for a psychological evaluation prior to returning to work.

CSC'S RESPONSE:

Prior to considering a return to work for employees who are off on post-traumatic stress or occupational stress, psychological documentation is always on file and considered. The documentation is from the treating mental health practitioner and/or the carrier whether it is the Workers' Compensation Board or Sunlife/National Life. The latter agencies employ medical advisors who review clients' medical documentation and provide details as to precautions and limitations when considering return to the workplace.

It should be noted that medical confidentiality is respected in all cases. Medical information provided to the employer refers solely to the employee's capabilities to return to work; medical precautions and functional or psychological limitations. There is no mention of medical diagnosis.

Management, under Treasury Board collective agreements, reserves the right to refer an employee to Health Canada for a fitness to work assessment which may include a further psychological evaluation. This referral is normally done when further information is required or clarification of medical documentation on file is necessary. Health Canada will also assist in assessing the suitability of particular positions through a job analysis process.

A Return to Work Program is in place within CSC and managers/supervisors and union representatives have been trained on their role & responsibilities. CSC has developed a Return to Work Manual for Managers and Supervisors which includes sections on reviewing medical documentation and referrals to Health Canada. Regional Return to Work Advisors are in place in each Region to assist managers and supervisors throughout the RTW process. Draft CD 254 and its accompanying SOPs reflect CSC's commitment to provide employees of the Correctional Service of Canada who incur an injury or illness the support and assistance to return to fully productive employment, as soon as medically feasible, through the Return to Work Program.

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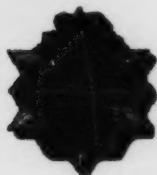
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33. It is recommended that CSC provide a Stress Management course for staff with an option of professional counseling as needed.

CSC'S RESPONSE:

CSC's Correctional Training Program (CTP) includes a module on Stress, Critical Incident Stress Management (CISM) and the Employee Assistance Program (EAP). All new correctional employees attend these courses as part of their mandatory training.

Also, information on issues such as healthy lifestyle and well being are made available to staff through the Employee Assistance Program. One topic that is regularly offered to employees in the format of information sessions is that of stress management.

CSC has adopted the Peer Referral EAP model. Volunteer employees who have been selected by Union and Management are given specialized training to assist, advise and to refer their co-workers to appropriate professionals or agencies for any necessary stress related counseling. CSC uses resources within the community to provide this service. Additionally, CSC has established retainer contracts with firms who offer immediate, high quality, short-term counseling services to respond to the different needs of employees.

The Commissioner's Directive on EAP is currently being reviewed and guidelines on EAP and CISM are being prepared in the format of Standard Operating Practices. The draft documentation developed in consultation with a number of stakeholders such as Treasury Board, Health Canada, and unions, with interest in these programs and the field, insist on the importance of providing pre-incident training on stress management to all CSC employees, as well as on-going support services.

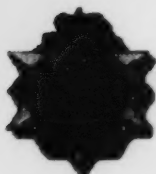
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34. It is recommended that CSC provide a 1-800 number to access counseling for staff who are reluctant to self identify to local management when they are suffering the effects of job related stress.

CSC'S RESPONSE:

While CSC does not have a 1-800 number in the regions, CSC is of the opinion that the intent of this recommendation is already met through the existing Employee Assistance Program model established in all our institutions. This program is a confidential and voluntary service supported by both Management and the Unions. The program is well publicized in our institutions and is available to all employees. The program is offered in strict confidentiality and the most EAP referral agents are not from the management level. Accordingly, there is no need for those employees suffering from job related stress to identify themselves to local management.

In this program, CSC has adopted the Peer Referral model. Volunteer employees, who have been selected by Union and Management, are given specialized training to assist, advise and refer their co-workers to appropriate professionals or agencies. Additionally, CSC has established retainer contracts with firms who offer immediate, high quality, short-term counseling services to respond to the different needs of employees.

The issue of a 1-800 number has previously been discussed with members of the National EAP Advisory Committee and representatives from the regions. This concept of a toll free number does not receive support of the USGE and the field as it is seen as having the potential to jeopardize the current program, which is functioning well.

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35. It is recommended that the amount of overtime be reviewed on a monthly basis. Corrective action should be taken where an excessive number of hours are being worked by individual correctional officers. This will ensure that the stresses of the job are not made worse by lengthy exposure to the prison environment.

CSC'S RESPONSE:

All facilities regularly monitor overtime usage by individual staff members. In the majority of cases, staff request overtime shifts and identify the days they are available to work overtime. Through this process it is hoped that staff members and supervisors will exercise judgment in deciding how much overtime is assigned to ensure that they receive adequate rest days to lessen job related stress.

Correctional Supervisors who are responsible for scheduling overtime shifts must take into consideration the amount of overtime worked by individual officers prior to assigning any additional overtime work. In this respect, institutions generally give priority (i.e. first chance for overtime) to officers who have accumulated the least amount of overtime in a given time period.

CSC has not established a maximum number of hours, which any officer can work in a given period. CSC is of the opinion that such would be impractical given the unique resourcing levels of individual institutions and the requirement to ensure that essential correctional officer posts are staffed during all shifts. CSC has however, recently been given the authority to hire an additional 1000 correctional officers and it is anticipated that the allocation of these positions to the various institutions will reduce the amount of overtime. CSC will undertake an evaluation of the impact of these 1000 officers and one of the objectives of the evaluation will be to assess the impact on overtime usage.

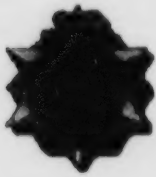
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36. It is recommended that any record of stress related counselling should not be kept on employees' personnel files. This should encourage employees to feel comfortable to come forward and ask for help or stress counselling without reprisal.

CSC'S RESPONSE:

CSC's Employee Assistance Program is available to all CSC personnel and is offered in strict confidentiality.

EAP referral agents are instructed not to keep any personal information regarding EAP users on file. When additional services for counselling are provided, including any stress related counselling, no information or records of such counselling are placed on the employee's personnel files.

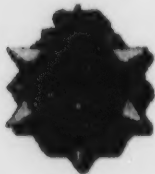
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37. It is recommended that the Correctional Service review all Commissioner's Directives, Regional Instructions, Standing Orders and Standard Operating Procedures to ensure they are clear and in compliance with the law and policy to avoid any duplication and conflicting information.

CSC'S RESPONSE:

The Commissioner of Corrections convened a review of all corporate policy in the fall of 1996. The intent of the review was to ensure that corporate policy, including Commissioner's Directives, Regional Instructions, Standing Orders and operating manuals was: consistent with the law; any duplication or inconsistency between policies was eliminated; and to ensure that all remaining policy was clear and accessible to staff.

The following has been accomplished to date:

- ▶ As of January, 1997 all offender-related national policy had been reviewed and where necessary amended to ensure compliance with the law;
- ▶ As of May, 1999 some 27 Commissioner's Directives have been eliminated and most operating manuals are in the process or have already been converted to Standing Operating Practices.
- ▶ As of May, 1999 the number of Regional Instructions dropped from 221 to 25
- ▶ All operational units reviewed their policies, leading to a dramatic reduction in the volume of local policies, for example one institution went from about 250 Standing Orders to less than 30;
- ▶ All case management policies and processes have been reviewed and streamlined;
- ▶ A more streamlined framework for security policy has been developed and is in the process of being implemented;
- ▶ The policy development process has been established in such a way that local and regional policies must receive approval at the regional and national level respectively, to ensure that they are kept to a reasonable number;
- ▶ A verification exercise has been undertaken to ensure that all staff have ready access to policy documents, either through the electronic network or in hard copy.

As recommended by the Task Force on Policy Review, all policies will be reviewed for consistency, clarity and currency every 2 years.

Ongoing quality review of policies is the responsibility of the Strategic Planning and Policy Branch to ensure that all national policies are legal, clear, concise and consistent with other policies and the law.

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38. It is recommended that the Union of Solicitor General Employees, with the support of CSC, encourage its members to report any illegal acts or harassment, as their obligations as peace officers should take priority over labour solidarity.

CSC'S RESPONSE:

Harassment awareness training is already mandatory for all CSC staff members and it is hoped that such training will encourage staff members to come forward with such issues as they occur.

To reinforce this message, CSC supports making this item a standing item on all Labour Management Meetings at the institutional, regional and national levels.

CSC will ensure that this item is included at Labour Consultation Meetings with USGE and PIPSC. With the support from the national level, a communiqué will be issued by the Assistant Commissioner Personnel and Training to ensure that this item becomes a standing item at all levels of consultation committees.

In addition, CSC already has in place a booklet entitled "*Standards of Professional Conduct*" which, in part, is designed to provide direction to staff in dealing with difficult or ethical decisions. In the Commissioner's Introduction to this document, the requirement of staff to act ethically is emphasized:

"The primary emphasis of the *Standards of Professional Conduct* is on promoting ethical behaviour consistent with the Mission. It recognizes that corrections is a complex field which frequently presents an employee with difficult practical and ethical decisions. The principles set out in the *Standards of Professional Conduct* are intended to guide staff in situations where the right course of action may not always be clear."

Staff who fail to abide by these Standards, including actions where they fail to report illegal acts or acts of harassment, would be subject to disciplinary action under CSC's *Code of Discipline*.

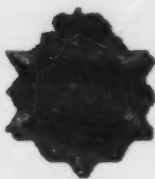
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39. It is recommended that all log book entries be read daily by unit managers and the I.P.S.O. so that action plans and necessary follow-up can be established when required. There must be feedback to the reporting officer.

CSC'S RESPONSE:

CSC supports the importance of the sharing of security information with the appropriate staff members within the institution. The responsibility for the reporting and recording of such information is one that all staff members are accountable for in accordance with Commissioner's Directive 620 on *"Reporting and Recording of Security Information."*

The sharing of such security information is accomplished by a variety of mechanisms such as pre-shift briefings of all staff during which time relevant security and inmate behavioral issues are discussed.

The logbooks referred to in the recommendation are one source of security information. However, these logs generally record routine events and observations, which transpire on the various inmate ranges during shifts. The logbooks will record such items as time meals were served; whether inmates refused their meals; times of lock ups etc. Owing to the nature of this information, it is not viewed as either practical, or necessary, for these logs to be read by Preventive Security Officers and Unit Managers on a daily basis. They should, however, be read by the Correctional Supervisors. Unit managers periodically review the logs as their schedule permits.

More significant security issues are recorded by officers on Observation Reports which are routinely forwarded to the Preventive Security Officers for information and necessary follow-up action, as well as being discussed at daily institutional operations meetings with Correctional Supervisors and Unit Managers. These managers shall ensure that the reporting officer receives appropriate feedback:

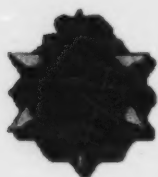
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40. It is recommended that staff conduct in breach of the CCRA, Commissioner's Directives, Regional Instructions, Standing Orders, Standard Operating Procedures or the CSC Code of Conduct be dealt with by management expeditiously, suitably and openly by any one or more of the following measures:
- Counseling
 - Re-training; and/or
 - Discipline

CSC'S RESPONSE:

Section 3 of the Corrections and Conditional Release Regulations requires all staff members to:

- a) be familiar with the Act, these Regulations and every written policy directive that relates to the staff member's duties;
- b) perform the staff member's duties impartially and diligently and in accordance with the principles set out in the Act and the Mission of the Correctional Service of Canada, published by the Service, as amended from time to time.

CSC's policy relating to the Code of Discipline includes the statement that a staff member has committed an infraction if he/she:

"fails to conform to, or to apply, any relevant legislation, Commissioner's Directive, Standing Order, or other duty as it relates to his or her duty".

The policy further emphasizes the responsibility of management to take prompt and appropriate action when infractions of the Code of Discipline occur.

CSC's Code of Discipline clearly outlines a variety of infractions for which staff members may be disciplined, and this document is distributed to, and signed as having being read, by all CSC staff members.

The Code of Discipline also specifies the types of disciplinary action, which may be taken if a staff member has committed an infraction. Included in these options are the measures identified in the recommendation.

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41. It is recommended that all Standard Operating Procedures, Commissioner's Directives, Regional Instructions and Standing Orders contain a definition to ensure that terminology used within is clearly understood by staff.

CSC'S RESPONSE:

CSC concurs that a "Definitions" section is required to explain new or not commonly understood terms. CSC's Standard Operating Practices on Policy Development (SOP 200) notes that a Definitions section should be included in these situations. The common use of a "Definitions" section is relatively new (within last six months) and therefore may not have been apparent in policy documents reviewed by the Coroner's Inquest.

The current wording of SOP 200 makes reference to the Definitions Section only with respect to Commissioner's Directives. This wording will be amended to ensure that the importance of including definitions of new or not commonly understood terms in all types of policy instruments (Commissioner's Directives, Standard Operating Practices, Regional Orders and Institutional Standing Orders) is stated clearly. As the CD and SOP on Policy Development are currently undergoing the regularly scheduled 2-year review, these amendments will be completed by March 2000.

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42. It is recommended that CSC continue to investigate the most appropriate device for transporting uncooperative inmates. (ie. Chair used by ambulances)

CSC'S RESPONSE:

A new ambulatory chair/stretchers has been acquired for formal testing and evaluation at Kingston Penitentiary. This device will be tested on site for three (3) months. It will also be offered for testing to the Prison for Women as this site has multi-tiers and it may prove suitable for safely removing unruly offenders, or those with health problems.

A written report will be submitted to Technical Services, NHQ. Depending on the results of this evaluation, the chair can be added to the Scale of Issue for use at other institutions.

In addition to the above, CSC will continue testing and evaluation of new products, as well as examining other options for the transportation of uncooperative inmates.

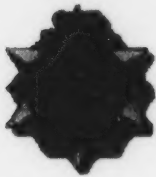
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43. It is recommended that CSC, with cooperation from the USGE, investigate the possibility of rotating staff among institutions on a regular basis in order to have a turnover of the majority of staff at Kingston Penitentiary.

CSC'S RESPONSE:

CSC does not support the mandatory rotation of staff among institutions on a regular basis. We believe that it is preferable to make such rotations, or transfer of staff, voluntary or upon specific request of the staff member concerned. CSC recognizes the difficult challenges and stresses that working in a maximum-security institution presents and to that end we will promote a fluid and flexible staff rotation wherever possible.

To implement a mandatory program of staff rotation would entail additional costs due to relocation of staff as well as create disruption to the family lives of these same staff members. While such a program could be practical in the Kingston area owing to the proximity of a number of correctional institutions, it is considered impractical in other regions where the geographical separation of institutions is much greater.

Regardless of the above, it should be noted that there is a regular turnover of staff at the institution through the normal attrition process. In addition, the Ontario Region has made a submission which would result in a changing role for Kingston Penitentiary. This initiative involves making Millhaven Institution the only maximum-security institution within the Ontario Region and having Kingston Penitentiary accommodate reception inmates, temporary detainees as well as approximately 100 medium security offenders. Such a restructuring will necessitate a realignment of staff resources.

Finalization of this initiative is scheduled for 2002-2003. A Commissioning Officer has been appointed to direct this restructuring and ongoing consultation with the Union will occur in the development of operational plans.

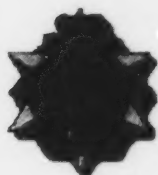
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44. It is recommended that there be formal steps to notify families of a death in the institution. Notification must be made in person.

CSC'S RESPONSE:

CSC has in place a policy which outlines the steps to be taken in the event of a death of an inmate or a day parolee. This policy is Commissioner's Directive #530 "Death of Inmates and Day Parolees."

The underlying principle behind this policy is CSC's Mission Document which recognizes the "dignity of individuals, the rights of all members of society" and, in particular, the "value of family and community relationships."

The CD requires the institutional head to immediately notify the person previously designated by the inmate. This "designated person" may not in all cases be the family of the offender.

The involvement of institutional chaplains in the notification process is common practice in most institutions, although such is not made mandatory in the Directive. The Chaplaincy Manual contains a section related to the notification of next of kin. This manual emphasizes the importance of personal contact using family clergy if known, or clergy of the same denomination in the same city of the next of kin, or the use of hospital chaplains. Only in extreme cases, when other possibilities are exhausted, is telephone notification suggested, and even in those situations the manual recommends that someone be present with the next of kin at the time.

While all efforts will be made to attempt to make the notification in person, such may not always be possible for a variety of reasons including:

1. Media interest in all offender deaths and the need to make notification to the family members prior to having them learn about it from the press.
2. Family members in a foreign country.
3. Request by offenders that immediate family members not be notified in the event of their death. (i.e. the offender has designated

notified in the event of their death. (i.e. the offender has designated someone other than an immediate family member to be notified.)

Regardless, CSC supports the principle of personal notification and will re-emphasize this requirement to all employees in an amendment to the Commissioner's Directive. Suggested wording is as follows:

"Notification of death is best done in person. Media releases should be withheld until this can be done properly. Chaplains have access to a professional network of caregivers skilled in such matters and are the preferred delegation. Police may be a possible resource. Notice by telephone should be a last resource."

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45. It is recommended that there always be a staff member trained in crisis negotiation in the institution.

CSC'S RESPONSE:

All CSC institutions maintain a number of fully trained crisis negotiators as defined by individual, sit-specific contingency plans. Crisis negotiators are available for recall to the institution if their services are deemed to be required by the crisis manager. While response time of the negotiators will vary, generally such will be less than forty-five minutes.

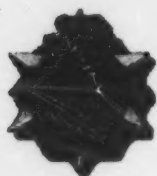
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46. It is recommended that all directives concerning report writing be strictly adhered to.

CSC'S RESPONSE:

CSC acknowledges that all reports written by staff should be in accordance with the policies covering those reports. Requirements of report writing will continue to be monitored by supervisors to ensure that standards of reporting are met. It is anticipated that the Standard Operating Practice relating to reporting of incidents involving Use of Force should assist in providing more explicit information to staff members on this issue. This SOP has been sent to field units for consultation with an expected promulgation date this fiscal year.

The importance of report writing and the quality of its contents forms an important part of the Correctional Training Program as well as the Parole Officer orientation program.

CSC's internal audit unit will also conduct routine audits of various aspects of security reporting (Use of Force, Search Reports etc.) and report to Senior Management as to their findings.

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47. It is recommended that reports (i.e. Use of Force and Situation Reports) be filled out immediately following an incident. Appropriate disciplinary action should be taken if this is not done.

CSC'S RESPONSE:

CSC concurs that required reports should be completed immediately following an incident unless extenuating circumstances, such as a medical emergency, prevent an officer from doing so. Procedures for the completion of these forms contain the requirement for completion after an incident, and no later than the end of the officer's shift. Failure to follow such a procedure would be subject to disciplinary action in accordance with CSC's Code of Discipline.

It should be noted, however, that any such report written by the officer should contain the proviso that it can be amended (only as an addendum to the original report) should the officer's recall of events changes after the original report is written. This requirement results from studies by law enforcement psychologists who advise that cognitive, sensory and perceptual distortions, and omissions of memory are a possibility in the immediate aftermath of a serious incident.

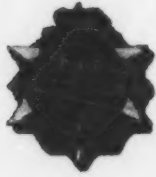
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48. It is recommended that the Situation Report contain an attention box with a warning that officers fill out reports independently.

CSC'S RESPONSE:

CSC concurs and will amend the standard report form to include such an attention box. Wording will be to the effect that officers are to complete the reports independently and that any collusion in the preparation of such reports will be subject to disciplinary action.

In addition, a Security Bulletin has been issued to reinforce this requirement.

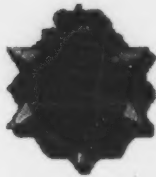
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49. It is recommended that a room be made available at the time of an incident within every institution (i.e. cafeteria, chapel, etc.) for the preparation of reports concerning serious incidents. This room must be supervised during the preparation of those reports by the institutional head or his designate. It is further recommended that a record be kept of those preparing and invigilating the reports.

CSC'S RESPONSE:

CSC provides appropriate space for officers to write reports in the aftermath of a serious incident. Often, several rooms are required for this purpose depending on the nature of the incident and the number of staff members involved.

Staff are trained, and expected to conduct themselves, in a professional manner. Training provided to these staff, as well as post incident briefings, all stress the need for independence in the writing of incident reports. If subsequent investigations, which are completed after all serious incidents, uncover or determine that an officer has submitted an inaccurate report, or colluded with another officer(s), in the preparation of the report, the necessary disciplinary action will be taken.

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50. It is recommended that CSC continue with the current audit of its filing and information systems with the objective of improving that system.

CSC'S RESPONSE:

The audit of Records Management has been completed and a final report issued in October 1999.

Recommendations contained in the audit report will be subject to the standard follow-up process to ensure that the necessary corrective action is taken.

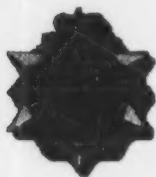
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51. It is recommended that all persons in the CSC with specific authority who are empowered or required to dispose of complaints, grievances or investigations be able to admit error on the part of, and on behalf of the Correctional Service.

CSC'S RESPONSE:

With respect to complaints and grievances, Commissioner's Directive 081 "Offender Complaints and Grievances" was amended 1998-06-22 and now includes the following requirement:

"When errors on the part of CSC are identified during the course of an investigation into a complaint or grievance, an admission to this effect must be included in the written response to the offender."

In all cases where a grievance is upheld, the response includes an admission of error from the CSC respondent. In addition, this is normally accompanied by an apology.

With respect to nationally convened security investigations, findings of the investigations frequently identify shortcomings, or errors, made by CSC staff. In accepting the findings of the investigation team, and in making publicly accessible these investigation reports, CSC does openly acknowledge errors that have been made.

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52. It is recommended that CSC initiate a national program of statistical collection, analysis and reporting that will reflect trends in the use of force, segregation, inmate discipline, inmate grievances, officer discipline and officer grievances. This would provide indicators to the management team of the performance of their institution.

CSC'S RESPONSE:

CSC has in place an established program of statistical collection, analysis and reporting which allows institutional heads and senior managers at the regional and national headquarters to examine in detail the use of force, segregation, inmate complaints and grievances, as well as numerous other indicators of performance. This data is extracted in sufficient detail to allow for meaningful analysis. The information is presented in aggregate form to the Executive Committee on a regular basis. The detailed data is provided to functional sectors at National headquarters and to the regions for detailed analysis.

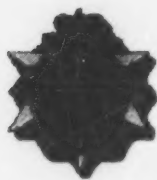
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53. It is recommended that press releases be accurate, precise and clear with no possibility of a misinterpretation of information. (i.e. gilding the lily)

CSC'S RESPONSE:

Press releases issued by the Correctional Service of Canada are intended to be accurate, factual and clear.

CSC officials responsible for preparing press releases must ensure that they conform to the Government of Canada's Communications Policy, several Treasury Board policies and Commissioner's Directive CD 022, all of which provide guidelines for disseminating information to the public.

During the approval process, press releases are vetted by the Assistant Commissioner, Communications and Consultation; the appropriate Sector and / or Regional Head; as well as the Commissioner of Corrections.

Furthermore, press releases concerning major announcements are approved by the Minister's office prior to their release.

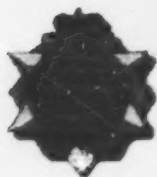
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54. It is recommended that there be a top down commitment where management sets the appropriate example for staff in accordance with the Mission Statement and the five core values.

CSC'S RESPONSE:

The Mission Statement and its five core values are the foundation for CSC's programs and policies. CSC's Mission has been endorsed by several Solicitor Generals and on each occasion, copies have been broadly distributed throughout the organization.

The Commissioner regularly refers to the importance of the Mission Statement in his speeches and messages to CSC employees. Senior managers are expected to ensure that its values and philosophy are reflected in the day-to-day activities and work ethics of their staff.

Senior managers are expected to hold themselves accountable, and to be held accountable by others, for setting an appropriate example.

Regular cycles of performance appraisal and feedback from superiors help to ensure that managers and supervisors respect the Mission Statement's values.

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55. It is recommended that the Warden and Deputy Warden at Kingston Penitentiary be left in place for a minimum of a three year term. CSC should consider instituting a system of financial incentives for Warden's and Deputy Wardens to stay in their jobs at difficult posts like Kingston Penitentiary.

CSC'S RESPONSE:

CSC supports the concept of stability for senior level positions within all CSC institutions, including Kingston Penitentiary. We further suggest that such a need for stability extends beyond that of the Warden and Deputy Warden to include other managers and staff who occupy senior positions within the institution. Among these latter would be Correctional Supervisors and Unit Managers who play key roles in the day to day operations of the institution and who deal most directly with the inmate population.

Certainly a three - year minimum term would provide time for increased stability within a particular institution, however, there are no provisions, legal or otherwise, which CSC could use to require managers to stay for that specified period.

CSC has no authority to institute financial incentives for Executives.

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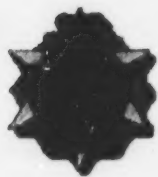
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56. It is recommended that the salary classification of a Warden of a maximum security institution reflect the responsibilities of the position and be such that it will allow for his/her transfer back to the line operation after the completion of a staff assignment (Regional or National Headquarters) without a financial penalty.

CSC'S RESPONSE:

The salary classifications of all Wardens' positions are determined in accordance with the Executive Group classification plans for the Government of Canada. Various elements, or factors, are considered in the classification of these staff including Know-how, Accountability and Problem Solving.

CSC regularly does move senior managers on various assignments and there is no negative impact on the individual's financial situation.

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57. It is recommended that special assignments that take the Warden away from the institution be limited.

CSC'S RESPONSE:

CSC does encourage its Wardens to spend as much time within their institutions as possible. However, these senior officials also participate on various task forces and working groups tasked with examining various aspects of CSC operations. Their experience and insight into operations makes them a needed and valuable resource for these assignments. These assignments are not, however, long term assignments and do not interfere with the management of the institution.

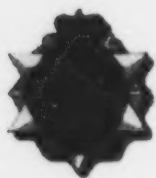
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58. It is recommended that all levels of management be held accountable for their actions or lack of same. Senior managers who are found to be ineffective should be provided with additional training, retrained, demoted or dismissed.

CSC'S RESPONSE:

CSC has an accountability structure in place, which includes specific accountabilities for the management of institutions. Performance problems are detected and dealt with on an individual basis. In some instances, additional training and development are used to rectify problems. Other corrective action could include reassignment to other positions, demotion or dismissal. This structure of accountability applies to all CSC employees.

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59. It is recommended that because of the nature of work performed by CSC peace officers, that CSC take forward to treasury Board a proposal that the Master Agreement between the Public Service Alliance of Canada and the Treasury Board be amended to provide an exception to the general "sunset clause" which provides for the removal of any disciplinary action from a public service employee's file after two years. This exception to the "sunset clause" should be applied only in circumstances where a CSC peace officer has received discipline relating to the use of force against an inmate.

CSC'S RESPONSE:

The "sunset clause" referred to (two years, if no further disciplinary action...) embodies the concept that behaviour can be corrected and that an individual should be given a fair opportunity to continue his/her career without a blemished record if in fact he/she has demonstrated an ability to correct their behaviour.

If a transgression were so serious that it would require a permanent record, then the department would necessarily consider termination of employment as a disciplinary sanction.

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60. It is recommended that when allegations of excessive force used against an inmate are proven, the staff member involved be dismissed from the Public Service.

CSC'S RESPONSE:

CSC is of the opinion that each incident and each case must be evaluated on its own merits. The philosophy of discipline in CSC is essentially a corrective and progressive one. The disciplinary process aims to correct improper behaviour and through the progressive application of more severe disciplinary actions for successive acts of misconduct. To adopt a blanket position that staff members be dismissed if it is proven they have used excessive force against an inmate, is to usurp the principles of progressive and corrective discipline and to fetter management's discretion in evaluating each case of its merits and determining "mitigating and aggravating" circumstances which may have a determinant impact on the severity of the penalty awarded.

This does not mean that incidents of excessive force against inmates are not viewed as very serious misconduct and warranting of disciplinary action up to and including possible termination. However, to respect the principles of fairness and natural justice requires that each incident be investigated in a timely manner and on its own merits.

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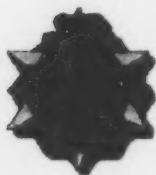
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61. It is recommended that any agreement with the applicable union concerning the appropriateness of discipline or the conduct of investigations should be in writing and should be permanently preserved by both parties.

CSC'S RESPONSE:

The requirement to conduct an investigation should be identified by management and clear terms of reference should be made available to the Investigative Team. The employee who is the subject of the investigation should be made aware of the allegations and that an investigation into his/her conduct will be conducted.

In terms of whether the reports of investigation should be kept permanently, relevant legislation dictate the appropriateness and duration for which records can be kept, such as Privacy and Access to Information; collective agreements etc.

It should be noted that CSC's revised policy on Investigations (Commissioner's Directive #040) was promulgated in December 1998. Prior to the promulgation, the Union of Solicitor General Employees was consulted on the proposed amendments. Such consultation with the USGE will continue for any future policies or amendments which impact on CSC's investigative process. CSC will ensure that a record of the consultations is kept.

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62. It is recommended that the CSC take forward the proposal to Treasury Board that its current legislative and/or policy position be amended to provide for suspension with pay in certain circumstances. This would give CSC the option to suspend and employee with or without pay.

CSC'S RESPONSE:

CSC is of the opinion that the current policy on discipline provides sufficient flexibility to deal with all potential situations. Each case must be examined on its own merits. In the case of suspension without pay, such actions are initiated after consultation with a Staff Relations Officer and are used only in exceptional situations such as:

- ▶ very serious misconduct is suspected
- ▶ termination of employment is being considered
- ▶ the employee is a threat to the safety and/ or security of persons/property at the work place.

Within the existing disciplinary policy, and again based on the individual case, the manager has the opportunity of assigning the officer to another position within the institution pending the outcome of the investigation.

Given these options available to managers, CSC does not believe a separate submission to Treasury Board is warranted.

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63. It is recommended that the Code of Discipline (CD 60) be amended to include procedures that must be followed whenever a staff member has committed an alleged infraction.

CSC'S RESPONSE:

The Code of Discipline derives from the Standards of Professional Conduct and is intended to set out the behavior that is expected of employees. CSC has developed a guide for managers entitled "Guide to Staff Discipline and non-disciplinary demotion or termination for cause". This guide contains steps to follow in the disciplinary process, ranging from the investigation, documentation to the ultimate final determination of disciplinary sanctions. This guide is also used when delivering staff relations training to managers with case studies to give them some on hands experience in dealing with disciplinary investigations.

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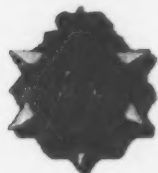
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64. It is recommended that an officer who uses an unauthorized control hold be disciplined.

CSC'S RESPONSE:

CSC's policy relating to the use of force is to use only the amount of force necessary by the particular circumstances of the incident.

All incidents involving the use of force are reported and detail both the amount and nature of the force used. All inmates against whom force is used are given the opportunity to discuss with the institutional head the amount of force used.

If a staff member is found to have used excessive force, the officer would be subject to disciplinary action.

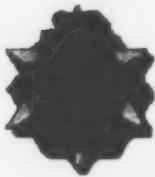
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65. The public accountability of each Citizen Advisory Committee (CAC) should be strengthened. To achieve this it is recommended that the Regional Deputy Commissioner, at the beginning of each year, take steps to ensure that each CAC in the Region is at optimum levels of strength and performance. Each committee shall be comprised of at least three persons and no more than seven who are reasonably representative of a cross-section of the community. Newspaper advertisements should be used as necessary to recruit new members. A selection committee made up of the head of the institution, the local union president and chair of the local CAC shall select new members. The participation of the correctional officers is considered essential in the success of the committee's mandate.

CSC'S RESPONSE:

Each CAC's Annual Report together with input from the Warden/Parole Director, the annual regional CAC report, the annual regional CAC executive meetings, and the record of the monthly meetings between the CAC and the Warden/District Director are already provided to the Regional Deputy Commissioner. This material provides them with the information necessary to annually assess the effectiveness of the CACs in their region.

The current minimum membership requirement for each Citizen Advisory Committee has been established at five members (which exceeds the recommendation). However, the Commissioner will send a memorandum to each Regional Deputy Commissioner by the fall of 1999, outlining the requirement for the annual review and reinforcing the current minimum membership requirement.

A Recruitment Guide for *Citizen Advisory Committees*, to be completed by the fall of 1999, will include recommendations about the use of newspaper advertisements.

The recommendation to create a selection committee for the appointment of new members including the Warden, the Chair of the Citizen Advisory Committee and the President of the Local Union shall be included in a revision to CD 023 'Citizen Advisory Committees'. The revised CD must be reviewed and approved by EXCOM, but can be completed by the end of calendar year 1999. However, allowance must be made for the appointment process to

However, allowance must be made for the appointment process to continue in the event that one or more of the participants is unavailable.

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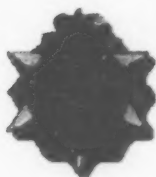
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66. It is recommended that each CAC prepare an annual report containing a review of the past year's activities, an assessment of the effectiveness of the committee's monitoring of crisis situations where the safety of staff and/or inmates was clearly at risk and a statement of the needs of the committee in order to carry out their duties in the coming year. The report would be submitted to the Regional Deputy Commissioner, the Correctional investigator, the head of the institution and to the community agencies and individuals involved in public policy relating to community safety and prisoner rehabilitation.

CSC'S RESPONSE:

At present, CACs are encouraged to prepare an Annual Report based on the past year's activities. The requirement for an Annual Report for each CAC will be included in a revised *Resource Manual for Citizen Advisory Committees* together with guidelines for the completion of the report.

The present distribution of the CAC Annual Report is to the Warden, the Regional Deputy Commissioner and the Director General, Public Participation and Consultation. The distribution will be expanded to include the Correctional Investigator and the community agencies and individuals involved in public policy relating to community safety and prisoner rehabilitation.

CSC will amend the *Resource Manual* by the Fall of 1999, to include a specific requirement to produce an Annual Report together with guidelines for completion and distribution.

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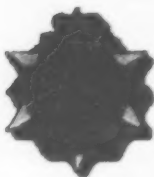
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67. It is recommended that in situations involving the application of chemical agents/inflammatory sprays prior to death, blood and tissue samples be screened for concentrations of chemical agent constituents. In cases where the samples are being forwarded to the Centre of Forensic Sciences, it is recommended that they be provided in the amounts and containers specified by the Centre.

CSC'S RESPONSE:

CSC cannot respond to this recommendation. This recommendation deals with the handling of forensic evidence by medical personnel and police investigators who are outside the employ of CSC.

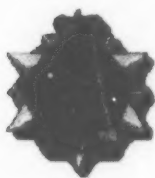
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68. It is recommended that the post-mortem report and, if possible, the police report, be provided to the Centre for Forensic Sciences along with the Case Submission form (form CFS 69) when the samples are submitted.

CSC'S RESPONSE:

CSC cannot respond to this recommendation. This recommendation deals with the handling of forensic evidence by medical personnel and police investigators who are outside the employ of CSC.

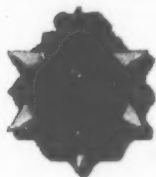
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69. It is recommended that a review of Kingston Penitentiary be conducted with respect to its appropriate use within the context of the Corrections and Conditional Release Act. This review should be conducted by a committee consisting of representatives from CSC, the Ministry of the Solicitor General and independent persons from the community.

CSC'S RESPONSE:

Over the past several years extensive renovations of Kingston Penitentiary have taken place. These renovations were designed to upgrade physical security aspects of KP as well as inmate accommodation and program areas.

A detailed security integrity review of Kingston penitentiary was conducted in June 1998, which examined the institution's ability to function as a maximum-security institution. The findings of the review team were:

"We stated categorically that our findings supported the continued use of the institution to house maximum security inmates."

Regardless of the findings of the review team, inmate accommodation/population management issues have resulted in the Ontario Region re-examining the role and use that Kingston Penitentiary will have.

Owing to an excess of maximum security beds in the region, combined with situations that resulted in the double-bunking of reception inmates, Ontario has undertaken an initiative which will see Kingston penitentiary being used to accommodate reception inmates, temporary detainees and approximately 100 medium security inmates required to provide institutional support. Millhaven Institution would become the only maximum-security facility within the region.

A working group, under the direction of a CSC senior manager, has been developed to work on role statements for the institution and to facilitate the changes.

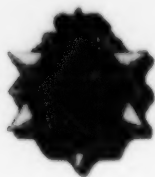
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70. It is recommended that with the issue of accountability a concern, that increased civilian oversight of CSC is required. An independent oversight committee shall be formed by the Ministry of the Solicitor General to conduct a study and report within 12 months to the Justice Committee of the Parliament of Canada. This committee shall determine what type of civilian oversight body should be established and the scope of its powers.

CSC'S RESPONSE:

There currently exists a number of civilian and independent oversight reviews of CSC's operations. Included are:

1. The Office of the Correctional Investigator
2. The Office of the Auditor General of Canada
3. Treasury Board Central Agencies responsible for various aspects of Government Policy
4. Citizen's Advisory Committees
5. Independent investigative board members included on all nationally convened investigations.
6. Parliamentarians

In addition, the Parliamentary sub-committee reviewing the CCRA may make representations for additional independent oversight, including independent adjudication for segregation decisions.

CSC has initiated a review of international correctional counterparts to determine the extent and use of oversight bodies. Once information has been received from these agencies, it will be used as a basis to assess, or benchmark, our current practices.

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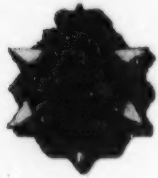
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71. It is recommended that CSC through the I.P.S.O.s conduct an annual review of stock in the armories to ensure that security equipment meets the current standards and that any items not meeting the standards are removed.

CSC'S RESPONSE:

Within CSC's institutions it is the Security Maintenance Officer (SMO), rather than the Institutional Preventive Security Officer (IPSO), who is responsible for the control and maintenance of security equipment.

The Standing Operating Procedure (SOP) on *Security Equipment* requires that the institutional head establish procedures for annual equipment inspections and inventories. The Security Maintenance Officer maintains perpetual inventory records of all security equipment including chemical agents and inflammatory sprays.

The SOP further requires that on an annual basis, at the end of each fiscal year, that the inventory records are forwarded for review to the Regional Deputy Commissioners.

This process of inventory and review provides assurance that the only items in stock in the armories are consistent with current standards cited in the *Scale of Issue*.

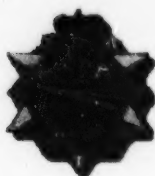
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72. It is recommended that CSC investigate the possibility of requiring inmates in certain cell settings (i.e. open-faced cells) to use headphones for their stereos and televisions.

CSC'S RESPONSE:

CSC policy is to allow inmates to purchase stereos and television sets for use in their cells. While many offenders regularly use headphones for these items, CSC does not feel that it is necessary to make their purchase mandatory as such would result in additional costs for those offenders in institutions with open-faced cells. In addition this requirement would create problems when offenders are transferred from one type of institution to another. Moreover, in situations where offenders are intent on creating a disturbance through loud noise, the headphones would be ineffective, as they would merely be pulled out.

CSC is of the opinion that existing policy is sufficient to deal with routine problems caused by offenders playing music loud enough to disturb others upon the range. Commissioner's Directive 090 "*Personal Property of Inmates*" provides that inmates may have these items confiscated if they are used in a manner, which may jeopardize the security of the institution. In addition, institutional heads may impose other special conditions on the use of these items.

CSC's preference in this issue would be to have the offenders take responsibility for the proper and respectful use of televisions and stereos.

Regardless of the above, CSC's Security Task Force will re-examine the issue to determine the practicality and cost implications of implementing such a practice.

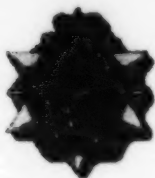
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73. It is recommended that the Chief Coroner receive written reports from the Commissioner of Corrections and any other recipient of these recommendations with respect to their implementation. These reports shall include the status of this jury's recommendations as to why certain, if any, recommendations were not implemented. These reports are due to the Chief Coroner within twelve months and will be made public.

CSC'S RESPONSE:

CSC agrees to respond to the Chief Coroner on the status of the recommendations.

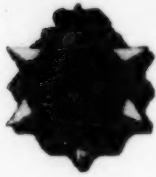
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74. It is recommended that the Chief Coroner receive a written report from the Solicitor General with respect to implementation of these recommendations also within twelve months. This report will also be made public.

CSC'S RESPONSE:

CSC will keep the Solicitor General appraised of the implementation of these recommendations. The Minister agrees with this recommendation and will respond by October 2000.

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